

**STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS**

**DEPARTMENT OF HEALTH
OFFICE OF HEALTH PROFESSIONS REGULATION**

vs.

Antonio C. Sousa, NHA

CONSENT ORDER

Pursuant to R.I.G.L. (2001 Reenactment) Section 5-45-12 and the Rules and Regulations promulgated thereunder, the Rhode Island Department of Health (hereinafter "Department"), after review and consultation with the Board of Examiners for Nursing Home Administrators (Board), has investigated a complaint charging Antonio Sousa, NA (hereinafter "Respondent") with a violation of Section 5-45-12 of the General Laws.

After consideration by the Department, the following constitutes the Findings of Fact with respect to the professional performance of the Respondent.

1. Respondent is a nursing home administrator licensed to practice in the State of Rhode Island.
2. That at all pertinent times Respondent was employed by Oakland Grove Health Care Center, Woonsocket, Rhode Island.
3. That on or about 15 July 2004, certain employees of Oakland Grove Health Center made allegations to the facilities Director of Nursing Services, accusing an LPN employed by the facility of neglecting a resident.
4. That the Director of Nursing Services reported the allegations to Respondent, who immediately directed that the allegations be investigated.
5. That an investigation was promptly carried out, and that Respondent concluded that the allegations were incorrect, and that neglect had not occurred as alleged.

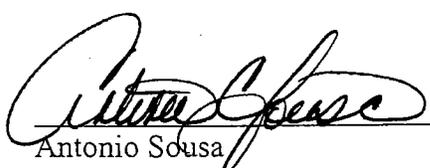
6. That Respondent failed to report the allegations to the Department of Health.
7. The conduct described in paragraph three (3) herein constitutes unprofessional conduct in Section 5-45-12, and Rules and Regulations promulgated thereunder.

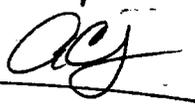
The parties agree as follows:

1. Respondent is a nursing home administrator and is able to conduct business under and by the virtue of the laws of the State of Rhode Island.
2. Respondent admits to the jurisdiction of the Department and hereby agrees to remain under the jurisdiction of the Department.
3. Respondent has read this Consent Order and understands that it is a proposal of the Department and is subject to the final approval by the Department. This Consent Order and the contents thereof are not binding on Respondent until final approval by the Department.
4. Respondent hereby acknowledges and waives:
 - a) The right to appear personally or by counsel or both before the Department;
 - b) The right to produce witnesses and evidence in his behalf at a hearing;
 - c) The right to cross-examine witnesses;
 - d) The right to have subpoenas issued by the Department;
 - e) The right to further procedural steps except for those specifically contained herein;
 - f) Any and all rights of appeal of this Consent Order;
 - g) Any objection to the fact that this Consent Order will be presented to the Department for consideration and review;

- h) Any objection to the fact that it will be necessary for the Department to become acquainted with all evidence pertaining to this matter in order to adequately review this Consent Order;
 - i) Any objection to the fact that the Department reviewing this Consent Order may be the same as the Hearing Committee presiding over this matter should it later be brought to an administrative proceeding;
8. Respondent neither admits nor denies the allegation that form the basis for this complaint.
 9. That this Order shall become part of the public record of this proceeding.
 10. That Respondent is issued the sanction of a Reprimand.

Signed this 2nd day of March 2005


 Antonio Sousa

- Consent Order Received by Respondent on March 2, 2005. 

Approved on this 11 day of March 2005


 Charles Alexandre, Chief
 Health Professions Regulation